

## **EXHIBIT 11**



## Fwd: Cease and Desist Soliciting Login Credentials and Scraping Facebook Content

1 message

steve@stevevachani.com <steve@stevevachani.com>

Mon, Feb 9, 2009 at 12:12 PM

Reply-To: steve@stevevachani.com

To: scott@bursor.com

Cc: felipe.herrera@corp.power.com

--- On Mon, 12/1/08, [steve@stevevachani.com](mailto:steve@stevevachani.com) <[steve@stevevachani.com](mailto:steve@stevevachani.com)> wrote:

From: [steve@stevevachani.com](mailto:steve@stevevachani.com) <[steve@stevevachani.com](mailto:steve@stevevachani.com)>

Subject: Fwd: Cease and Desist Soliciting Login Credentials and Scraping Facebook Content

To: "Felipe Herrera" <[felipe.herrera@powerinc.net](mailto:felipe.herrera@powerinc.net)>, "Eric Santos" <[eric.santos@powerinc.net](mailto:eric.santos@powerinc.net)>

Date: Monday, December 1, 2008, 8:01 PM

We need to prepare and think carefully how to transform this into an opportunity for Power. I will talk to my friends at Meebo and also see the best response.

Eric, we need to be prepared for Facebook to try to block us and the turn this into a national battle that gets us huge attention. But before we do that, we need to be prepared to address their arguments.

We need to address the scraping argument and the soliciting login credentials. Soliciting login credentials should be something with A LOT of precedent. Everybody has been soliciting login credentials for years. Scraping is also something we should be able to address.

Let's discuss this. This is exciting. :)

Keep this letter confidential.

Thanks.

Steve

--- On Mon, 12/1/08, [hostmaster1@poweremail.org](mailto:hostmaster1@poweremail.org) <[hostmaster1@poweremail.org](mailto:hostmaster1@poweremail.org)> wrote:

From: [hostmaster1@poweremail.org](mailto:hostmaster1@poweremail.org) <[hostmaster1@poweremail.org](mailto:hostmaster1@poweremail.org)>

Subject: Fwd: Cease and Desist Soliciting Login Credentials and Scraping Facebook Content

To: "Steven Vachani" <[steve@stevevachani.com](mailto:steve@stevevachani.com)>

Cc: "Felipe Herrera" <[felipe.herrera@powerinc.net](mailto:felipe.herrera@powerinc.net)>

Date: Monday, December 1, 2008, 7:54 PM

Steve,

This looks serious. They want a response by Wednesday in writing.  
If I can help, let me know.

Leigh Power

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Power Assist, Inc.  
Coupeville, WA 98239  
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----- Forwarded message from [JCutler@perkinscoie.com](mailto:JCutler@perkinscoie.com) -----

Date: Mon, 1 Dec 2008 19:30:08 -0800  
From: "Cutler, Joseph P. (Perkins Coie)"  
<[JCutler@perkinscoie.com](mailto:JCutler@perkinscoie.com)>  
Reply-To: "Cutler, Joseph P. (Perkins Coie)"  
<[JCutler@perkinscoie.com](mailto:JCutler@perkinscoie.com)>  
Subject: Cease and Desist Soliciting Login Credentials and Scraping Facebook  
Content  
To: [hostmaster1@poweremail.org](mailto:hostmaster1@poweremail.org)

I misspelled your email address when I sent this earlier this evening. Please  
see below.

Sincerely,

Joe

Joseph P. Cutler  
Attorney at Law  
Perkins Coie, LLP  
206. 359. 6104 (Office)  
206. 359. 7104 (Fax)  
[jcutler@perkinscoie.com](mailto:jcutler@perkinscoie.com)

-----Original Message-----

From: Cutler, Joseph P. (Perkins Coie)  
To: '[hostmaster1@poeremail.org](mailto:hostmaster1@poeremail.org)' <[hostmaster1@poeremail.org](mailto:hostmaster1@poeremail.org)>  
CC: McCullagh, James R. (Perkins Coie); Demetrescu, Nicole (Perkins Coie)  
Sent: Mon Dec 01 18:51:00 2008  
Subject: Cease and Desist Soliciting Login Credentials and Scraping Facebook  
Content

<<C&D power.com.pdf>>  
Please open, review and respond to the attached correspondence as directed  
therein.

Sincerely,

Joe

Joseph P. Cutler | Perkins Coie LLP

Attorney at Law  
1201 Third Avenue, Suite 4800  
Seattle, WA 98101-3099  
[jcutler@perkinscoie.com](mailto:jcutler@perkinscoie.com) <<mailto:jcutler@perkinscoie.com>>

206.359.6104 (office) | 206.359.7104 (fax)

Professional Biography  
<[http://www.perkinscoie.com/professionals/professionals\\_detail.aspx?professional=139](http://www.perkinscoie.com/professionals/professionals_detail.aspx?professional=139)>


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of avoiding penalties that may be imposed on the taxpayer under the Internal  
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----- End forwarded message -----

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3 attachments

 **ATT142348.txt**  
2K

 **ATT142351.htm**  
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 **C&D power.com.pdf**  
173K